

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X
NEBRASKALAND, INC.,

Plaintiff,
-against-

SUNOCO, INC., et al.,
Defendants.

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DEARIE, District Judge.

ORDER
10 CV 1091 (RJD) (CLP)

By Order dated May 6, 2011, this Court referred defendant Sunoco's motion to dismiss plaintiff's second cause of action for negligent misrepresentation for Report and Recommendation pursuant to 28 U.S.C. § 636. By Report submitted July 13, 2011, Magistrate Judge Pollak recommended that defendant's motion to dismiss be granted. Plaintiff filed objections dated July 26, 2011, and defendant filed a reply on August 12, 2011.

Upon its de novo review, the Court adopts Magistrate Judge Pollak's Report and Recommendation in its entirety. Defendant Sunoco's motion to dismiss is granted.

SO ORDERED.

Dated: Brooklyn, New York
December 7, 2011

s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE
United States District Judge